



County of Los Angeles

CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

February 8, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**ANNUAL REVIEW AND RECOMMENDATION TO APPROVE AMENDMENT TO POLICY ON
THE ACCEPTANCE OF FOREIGN CONSULATE IDENTIFICATION CARDS
(ALL DISTRICTS AFFECTED) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Receive and file the annual review of the Board policy on acceptance of Foreign Consulate Identification Cards (FCICs), Policy Number 3.050.
2. Approve the amendment to Board policy regarding the acceptance of FCICs, to clarify the types of reliable identifying information, as determined acceptable by the Chief Administrative Officer (CAO), which are required to obtain the card.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Subsequent to your Board's approval of the FCIC policy on January 14, 2003, the CAO has determined that the criterion which requires that the issuing country accept the FCIC as an alternative to a passport for re-entry into the issuing country was problematic. At the time that this provision was included in the policy, the rationale was unique to Mexico and the acceptance of their FCIC (the Matricula Consular). However, upon further review, we have now determined that it would be inconsistent with Homeland Security procedures and guidelines and Federal Aviation Administration regulations to require a foreign nation to accept anything less than a passport for re-entry into that country.

The main concern to the County in determining whether or not to accept a foreign consulate's identification card is that sufficiently reliable forms of identification were presented to the consulate by the applicant in order to obtain the card. Certainly, passports are one of these types of identification, and the remaining criteria contained within the policy regarding the types of identification which are acceptable for obtaining FCICs, as deemed appropriate by the CAO, are sufficient to authorize acceptance of these cards. Should the Mexican government wish to

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continue to allow its nationals crossing the border into that country to present the Matricula Consular in place of a passport, that is a matter for their determination. However, we do not believe it is appropriate, or in any way advantageous to the County, to include this requirement of other nations consistent with County consideration of acceptance of their FCIC for purposes of identification.

Accordingly, we are recommending that the Board policy be amended as follows:

- Add language to identify the types of identification required to obtain the FCIC, including presentation of a valid passport, birth certificate, or other identification determined acceptable to the CAO; and
- Remove the criterion for acceptance of the FCIC which requires that the issuing country authorize the use of the card as an alternative to a passport for re-entry into said issuing country.

A copy of the policy, as amended, is attached as Attachment I.

Implementation of Strategic Plan Goals

This action supports the following County Strategic Plan Goals and Strategies:

Goal: **Service Excellence** – Provide the public with easy access to quality information and services that are both beneficial and responsive.

Goal: **Organizational Effectiveness** – Ensure that service delivery systems are efficient, effective, and goal-oriented.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

FACTS AND PROVISIONS

On January 14, 2003, your Board approved policy to accept FCICs as valid photo identification for County services and/or programs. At that time, the policy was primarily structured based upon acceptance of the Matricula Consular Identification Card (MCIC) issued by the Consulate of Mexico.

The FCIC policy provides delegated authority to the CAO to approve the acceptance of additional foreign consulate identification cards, provided they meet a set of established requirements. Since the policy was established, the CAO has authorized acceptance of the FCIC issued by the Argentinean Consulate.

Amendment to the FCIC policy, as delineated in the recommendation, will allow the CAO to approve the acceptance of FCICs from foreign consulates that may not authorize the use of the card as an alternative to a passport for re-entry into their countries.

Annual Review

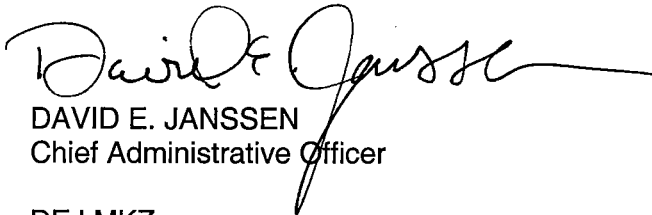
Furthermore, in accordance with your Board's request for an annual review, this office administered the FCIC Annual Survey to County departments in order to obtain information on: 1) the use of the FCICs, 2) problems with accepting FCIC as valid photo identification, and 3) comments/suggestions/concerns regarding the FCIC Policy. Attachment II provides a matrix of all responses from the departments. The following are highlights from the responses.

- Fourteen County departments indicated they have been presented with FCICs as a form of photo identification. Of these departments, all 14 were presented the MCIC, and five were presented with the Argentine Consulate Identification Card.
- Eleven departments reported that FCICs have been presented to obtain access to information and/or services including, Affirmative Action Compliance, Animal Care and Control, Child Support Services, Children and Family Services, the Community Development Commission, Health Services, Public Safety, the Public Library, Public Social Services, Public Works, and the Registrar-Recorder/County Clerk.
- In general, departments report that the use of FCICs has not been extensive and no significant problems were reported related to the acceptance of the card.
- The Public Library reported that some staff has been presented with FCICs from Guatemala and suggested that this card be approved for acceptance, as well. The CAO has not received a request from the Guatemalan Consulate to accept their identification cards.
- The Public Library reports that some cards that have been presented have been faded, "homemade," or expired. These cards were generally accepted by the libraries; however, descriptions and procedures for accepting these cards will be reissued to staff for retraining.
- The Sheriff's Department reported that, as with most forms of identification other than California identification cards and driver licenses, it is difficult to determine the validity and authenticity of the cards. The Sheriff's Department has distributed a newsletter that describes the FCICs to assist personnel with recognizing authentic cards.
- The Department of Health Services (DHS) reported that although the Department accepts the FCIC to verify a patient's identity and address, some cards contain addresses that differ from those reported by the bearer of the card. In addition, expired FCICs are not valid to use as verification of address. Training on FCICs is incorporated into the Department's training for patient identification and address verification conducted by DHS' Revenue Management.

IMPACT ON CURRENT SERVICES

There is no projected impact on current services. Based upon information gathered through the CAO's annual survey of County departments, the FCIC has allowed bearers access to information and services for persons who are otherwise unable to provide another form of identification.

Respectfully submitted,



DAVID E. JANSSEN
Chief Administrative Officer

DEJ:MKZ
AG:nl

Attachments (2)

- c: All Department Heads
 - Sylvia Sevilla de Heimes, Coordinator for Political, Economic and Social Affairs
 - Consulate General of Mexico
 - Julian Adem, Legal Affairs
 - Consulate General of Mexico
 - Roberto Diez, Deputy Consul
 - Consulate General of the Argentine Republic



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

Attachment I

| Policy #: | Title: | Effective Date: |
|--------------|-----------------------------|-----------------|
| 3.050 | Identification Cards | 00/00/00 |

PURPOSE

Establishes a County policy to accept foreign consulate identifications cards as valid photo identification for County services/programs.

REFERENCE

June 11, 2002 Board Order, Synopsis 90.
January 14, 2003 Board Order, Synopsis 56

POLICY

- 1) When members of the public are required to provide identification, County departments are authorized to accept as valid identification a photo identification card issued by the Consulate of Mexico known as the Matricula Consular Identification Card.
- 2) The Chief Administrative Officer (CAO) is delegated the authority to approve acceptance of other foreign consulate identification cards after notifying the Board of Supervisors, if the card meets the following requirements:
 - a) The card includes on its face a photograph of the person, the person's date of birth, height and weight, and current address;
 - b) The applicant was required to provide reliable identifying information in order to obtain the card; such as a passport, birth certificate, or other document acceptable to the CAO; and
 - c) The card has features reasonably designed to protect against fraud and counterfeit reproduction.
- 3) The CAO will notify the Board of all applications of foreign consulate identification cards deemed as satisfying requirements of this Policy, and provide Board members with adequate time to place the matter on a Board Agenda if so desired.

- 4) The CAO will compile and make readily available to County departments a list of the identification cards that meet the requirements established by this Policy.
- 5) In December of each year, the CAO shall provide the Board with an annual review of the use of consulate cards by departments, including training provided and information on any operational issues. The initial annual review shall address the issue of the appropriateness and feasibility of conducting background checks and/or obtaining fingerprints along with the issuance of consulate cards.
- 6) The CAO may deny acceptance of previously authorized or proposed consulate cards otherwise meeting requirements based on security considerations.
- 7) A County accepted foreign consulate identification card is to be used for identification purposes only and shall not be accepted as proof of legal residency.
- 8) The Policy to accept foreign consulate cards does not apply under circumstances where (1) a Federal or State statute, administrative regulation or directive, or court decision requires that County departments request different identification, (2) a Federal or State statute or administrative regulation or directive pre-empts local regulation of identification requirements, or (3) the County would be unable to comply with a condition imposed by funding source, which would cause the County to lose funds from that source.
- 9) No County department is required to accept a foreign consulate identification card if it has reasonable grounds for determining that the identification card provided by an individual is counterfeit, altered, improperly issued to the cardholder, or otherwise not accurate identification.

RESPONSIBLE DEPARTMENT

The Chief Administrative Office.

DATE ISSUED/SUNSET DATE

Issue Date:

Sunset Date:

<mailto:countypolicy@bos.co.la.ca.us>

FOREIGN CONSULATE IDENTIFICATION CARD ANNUAL SURVEY

2004

| Department | Has your department been presented w/ FCICs as a form or photo ID? | | | | If so, in conjunction with what services or activities was the FCIC presented? | If your department has been presented with the FCIC, does your department have any information on the amount of use? | Has your department identified any problems with accepting FCIC as valid photo identification? | | | | Does your department have any suggestions, comments, or concerns regarding the FCIC Policy? | |
|---|--|----|--------------|----|--|--|---|----|--------------|----|---|----|
| | Mexican ID | | Argentine ID | | | | Mexican ID | | Argentine ID | | | |
| | YES | NO | YES | NO | | | YES | NO | YES | NO | | |
| Affirmative Action Compliance | X | | | | X | Request for certification. | One presentation. | X | | | X | No |
| Agricultural Comm./Weights and Measures | | X | | | X | | | X | | | X | No |
| Alternate Public Defender | | X | | | X | | | X | | | X | No |
| Animal Care & Control | X | | | | X | Animal adoptions/return of lost animals/issuance of animal licenses. | No. Use of cards is sporadic. | X | | | X | No |
| Assessor | X | | | | X | Request for property records. | Only one occurrence reported. | X | | | X | No |
| Auditor-Controller | | X | | | X | | | X | | | X | No |
| Beaches and Harbors | | X | | | X | | | X | | | X | No |
| Board of Supervisors, Exec. Office | | X | | | X | | | X | | | X | No |
| Chief Administrative Office | | X | | | X | | | X | | | X | No |
| Chief Information Office | | X | | | X | | | X | | | X | No |
| Child Support Services | X | | | | X | Used as identification by parties opening child support cases, requesting interviews or status of cases. | The FCIC has been presented about 15 times. | X | | | X | No |
| Children and Family Services | X | | X | | | Identification for Live Scans, child abuse investigations, relative/foster care evaluations, placements, child custody and visitations. | | X | | | X | No |
| Community Development Commission | X | | X | | | Applying for mixed-family public housing. Non-resident individuals are allowed to live with residents if they show FCIC and pass background check, however, housing cost will be pro-rated to exclude that individual from subsidized housing. | Very minimal. | X | | | X | No |
| Community & Senior Services | X | | | | X | Verification of identification for access to Adult Protective Services and the Emergency Food Pantry program provided through the community service centers. | Of the 15 Community Service Centers and 13 Adult Protective Services Field offices surveyed, only 1 Service Center and 1 APS field office reported being presented with the FCIC. These offices do not track the frequency of use of these cards. | X | | | X | No |
| Consumer Affairs | | X | | | X | | | X | | | X | No |
| Coroner | | X | | | X | | | X | | | X | No |
| County Counsel | | X | | | X | | | X | | | X | No |
| District Attorney | | X | | | X | | | X | | | X | No |
| Fire | | X | | | X | | | X | | | X | No |

| Department | Has your department been presented w/ FCICs as a form or photo ID? | | | If so, in conjunction with what services or activities was the FCIC presented? | If your department has been presented with the FCIC, does your department have any information on the amount of use? | Has your department identified any problems with accepting FCIC as valid photo identification? | | | If so, please explain. | Does your department have any suggestions, comments, or concerns regarding the FCIC Policy? |
|---------------------------------|--|--------------|-----|--|--|--|--------------|----|--|--|
| | Mexican ID | Argentine ID | | | | Mexican ID | Argentine ID | | | |
| | YES | NO | YES | NO | YES | NO | YES | NO | | |
| Health Services | | | | | Facilities do not track the frequency of use of these cards. | | | | | The State of California does not currently provide direction as to whether or not the FCIC can be used as ID when applying for programs such as MediCal and Healthy Families (used for identification only, not immigration status). |
| Human Relations Commission | | X | | X | | | | X | | No |
| Human Resources | | X | | X | | | | X | | No |
| DHR/Office of Public Safety | | X | | X | | | | X | | No |
| Internal Services | | X | | X | | | | X | | No |
| Mental Health | | X | | X | | | | X | | No |
| Military & Veterans Affairs | | X | | X | | | | X | | No |
| Museum of Art | | X | | X | | | | X | | No |
| Museum of Natural History | | X | | X | | | | X | | No |
| Ombudsman | | X | | X | | | | X | | No |
| Parks & Recreation | | X | | X | | | | X | | No |
| Probation | | X | | X | | | | X | | No |
| Public Defender | | X | | X | | | | X | | No |
| Public Library | | X | | X | Since July 2002, 2,807 borrowers have registered using the FCIC (1,455 since 10/03) and have checked out 81,919 library items. | | | X | Most library staff report no problems, however a few libraries have reported instances of falsified and expired cards. | Some customers have presented FCICs from Guatemala; perhaps Guatemala's FCIC can be added. |
| Public Social Services | X | | | X | Yes. Based on a September 2004 report, 4,442 persons have used the FCIC for identification purposes. | | | X | | No |
| Public Works | X | | | X | Two people have used the FCIC in the past year. | | | X | | No |
| Regional Planning | | X | | X | The RR/CC has been presented with approximately 7,400 FCICs this past year. | | | X | | No |
| Registrar-Recorder/County Clerk | X | | | X | | | | X | | No |

| Department | Has your department been presented w/ FCICs as a form or photo ID? | | | If so, in conjunction with what services or activities was the FCIC presented? | If your department has been presented with the FCIC, does your department have any information on the amount of use? | Has your department identified any problems with accepting FCIC as valid photo identification? | | | Does your department have any suggestions, comments, or concerns regarding the FCIC Policy? |
|-----------------------------|--|--------------|-----|--|--|--|--------------|----|--|
| | Mexican ID | Argentine ID | | | | Mexican ID | Argentine ID | | |
| | YES | NO | YES | NO | YES | NO | YES | NO | |
| Sheriff | X | | x | | Based on informal polls of patrol stations, approximately 40 persons have been contacted and issued citations using the FCIC cards as identification (includes both Mexican and Argentine Consulate ID cards). | X | | X | Determining the validity and authenticity of the cards. The Sheriff's Department has distributed a Department Newsletter describing the FCIC cards to assist personnel in recognizing authentic cards. |
| Superior Court | | X | | | | X | | X | Recognition of the FCIC can be difficult for law enforcement officers due to the infrequent contact with these cards. In addition, information related to any changes in the cards has been requested in order to disseminate the information to officers. |
| Treasurer and Tax Collector | | X | | | | X | | X | |